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EXAMINER
ADDY, THJUAN KNOWLIN

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2614	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 October 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *26-50* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *26-50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   Applicant's amendment filed on October 09, 2008 has been entered. Claim 31

has been amended. Claims 1-25 have been cancelled. No claims have been added.

Claims 26-50 are still pending in this application, with claims 26, 31, 35, 44, and 47

being independent.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 26-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Sayko (US 6,418,210), in view of Rozenblit (US 5,832,072).

3.   In regards to claims 26, 31, 35, 36, 44, 46, and 47, Sayko discloses a method,

system, routing module, and control module for a communications network to restore

private information to a communication directed to an out-of-network entity (See

Abstract), comprising: removing the private communication information (e.g., calling

party's information, such as a calling party's name) from the communication (e.g., call)

and storing the private communication information (for example, buffer 118 temporarily

stores calling party's information, such as a calling party's name, for later retrieval) (See

col. 3 lines 47-51 and col. 4 lines 28-48); forwarding the communication outside the

network (See Fig. 1 and IP network 110) to the out-of-network entity (See Fig. 1 and

PSTN 112); and retrieving the private communication information and placing the

private communication information into the outgoing communication (See col. 4 lines

28-58 and col. 5-6 lines 38-21). Sayko, however, does not disclose receiving, into the

network, an outgoing communication from the out-of-network entity; and forwarding the

outgoing communication to a forwarding destination within the network. Rozenblit,

however, does disclose receiving, into the network (See Fig. 1, destination central office

24), an outgoing communication (e.g., full calling line number) from the out-of-network

entity (See Fig. 1 and switching network 16 {SSP 18, SSP 22, and SCP database 20});

and forwarding the outgoing communication (e.g., full calling line number) to a

forwarding destination (See Fig. 1 and called party terminal 26) within the network (e.g.,

destination central office 24) (See col. 2 lines 20-23, col. 4 lines 43-67, and col. 5-6 lines

54-3). Therefore, it would have been obvious for one of ordinary skill in the art at the

time of the invention to incorporate these features within the method, as a way of

improving calling line information delivery technique, which preserves the privacy rights

of the caller without unduly restricting the flow of useful information to the called party.

4.   In regards to claims 27, 43, and 49, Sayko discloses the method, system, and

control module, wherein removing and storing the private communication information

(e.g., calling party's information, such as a calling party's name) comprises: receiving

the communication at a routing module (See Fig. 1 and IP network 110) and activating a

trigger provisioned on the routing module; sending a query to a database (See Fig. 1

and buffer 118) at a control module (See Fig. 1 and gateway interface 116) in

communication with the routing module; recognizing, at the control module, that the

communication is to the out-of-network entity (See Fig. 1 and PSTN 112); and removing

the private communication information using the control module, and storing the private

communication information in a database in communication with the control module

(See col. 4 lines 28-45 and col. 5 lines 38-56).

5.   In regards to claims 28 and 50, Sayko discloses the method, routing module, and

control module, wherein retrieving the private communication information (e.g., calling

party's information, such as a calling party's name) and placing the private

communication information into the outgoing communication (e.g., call) comprises:

generating a transaction identification (e.g., call identifier), storing the transaction

identification with the private communication information, and attaching the transaction

identification to the communication, before forwarding the communication outside the

network; activating a trigger provisioned on a routing module (See Fig. 1 and IP network

110); sending a query to a control module (See Fig. 1 and gateway interface 116) in

communication with the routing module; recognizing, at the control module, that the

outgoing communication is from the out-of-network entity (See Fig. 1 and PSTN 112);

and locating the private communication information using the transaction identification,

and inserting the private communication information in the outgoing communication

(See col. 4 lines 28-58 and col. 5-6 lines 38-21).

6.   In regards to claim 29, Sayko discloses all of claim 29 limitations, except the

method, wherein the outgoing communication is a call and the call includes a

customized dialing plan code and the trigger is a customized dialing plan trigger.

Sayko, however, does disclose the method, wherein the outgoing communication is a

call, and the call includes a call identifier, which also involves data transfer, in which the

data transfer involves the translation from an IP protocol to a PSTN signaling protocol.

Therefore, it would have been obvious for one of ordinary skill in the art at the time of

the invention to incorporate these features within the method, as a way of removing and

replacing private communication information, within a system, as a way of reducing the

burden on the IP network and IP network terminal, since it would no longer be required

to transmit redundant call information. Additionally, by not requiring the IP terminal to

respond to a request for additional information, the gateway interface conserves the IP

network and terminal resources, which are now available to perform other tasks.

Furthermore, the gateway interface alleviates the need for requiring a SS7 protocol from

end to end of a PSTN network in order to exchange call information, such as the call

name.

7.   In regards to claim 30, Sayko discloses all of claim 30 limitations, except the

method, wherein the out-of-network entity provides an enhanced service selected from

the group consisting essentially of a call forwarding service, a call screening service,

and an announcement service. Sayko, however, does disclose the forwarding of

data/calling party's and/or information (See col. 1-2 lines 66-13). Therefore, it would

have been obvious to include a call screening service and an announcement service.

8.   In regards to claim 32, Sayko discloses the method, wherein the private communication information is a calling number and a privacy indicator of the incoming communication (See col. 4 lines 23-45).

9.   In regards to claims 33 and 43, Sayko discloses the method and routing module, wherein the external entity determines a forwarding destination according to an enhanced service that the external entity provides and initiates the outgoing communication to the forwarding destination (See col. 4 lines 28-42 and col. 6 lines 8-21).

10.   In regards to claim 34, Sayko discloses the method, further comprising: sending the outgoing communication to the forwarding destination; and terminating the incoming communication to the outgoing communication (See col. 6 lines 8-33).

11.   In regards to claim 37, Sayko discloses the system, wherein the first query prompts the routing module to remove and store the private call information from the call, to generate a transaction identification, to store the transaction identification with the stored private call information, to attach the transaction identification to the call, and to send the call to the out-of-network entity (See col. 4 lines 28-45).

12.   In regards to claim 38, Sayko discloses the system, wherein the outgoing trigger sends a second query to the routing module in response to receiving the call from the out-of-network entity (See col. 4 lines 46-53).

13.   In regards to claim 39, Sayko discloses the system, wherein the second query prompts the routing module to located the private call information and insert the private

call information into the call based on the transaction identification (e.g. call identifier)

(See col. 5-6 lines 66-33).

14.   In regards to claims 40 and 48, Sayko discloses the system and control module,

wherein the out-of-network entity (See Fig. 1 and PSTN 112) serves an enhanced

service provider (See col. 1 lines 11-24).

15.   In regards to claim 41, Sayko discloses the system, wherein the out-of-network

entity (See Fig. 1 and PSTN 112) receives an incoming call, places an outgoing call,

and terminates the incoming call to the outgoing call to complete a call connection (See

col. 4 lines 28-58 and col. 5-6 lines 66-33).

16.   In regards to claim 42, Sayko discloses the system, wherein the out-of-network

entity (See Fig. 1 and PSTN 112) communicates with the routing module (See Fig. 1

and IP network 110) through an integrated services digital network basic rate interface

(e.g., communication link 114) (See col. 3 lines 23-30).

Response to Arguments

17.   Applicant's arguments filed 10/09/2008 have been fully considered but they are

not persuasive.

18.   Applicant argues that there is no motivation for one of ordinary skill in the art to

modify Sayko in view of Rozenblit because such a modification would not have a

reasonable chance of success without changing the operating principal of Sayko, and

that because the Sayko PSTN 112 cannot communicate directly with IP network 110

since their communication protocols are incompatible, the mere method of passing of a

message between the out-of network entity 16 to network 24 as described in Rozenblit

would not have a reasonable chance of success, due to the protocols in Rozenblit being

compatible, and the protocols in Sayko being incompatible.

19.   In response to Applicant's arguments above, Examiner respectfully disagrees.

The claims of the present invention are not concerned with, and do not recite whether or

not the protocols within the system are required to be compatible. The claims merely

recite "A method [system, routing module, and control module] for a communications

network to restore private communication information to a communication…comprising:

removing the private communication information from the communication and storing

the private communication information; forwarding the communication outside the

network to the out of network entity; receiving, into the network, an outgoing

communication from the out-of-network entity; retrieving the private communication

information and placing the private communication information into the outgoing

communication; and forwarding the outgoing communication to a forwarding destination

within the network". There is no recitation of the use of particular protocols, or whether

or not those protocols must be compatible.

20.   Furthermore, in response to Applicant's arguments against the references

individually, one cannot show nonobviousness by attacking references individually

where the rejections are based on combinations of references. See *In re Keller*, 642

F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231

USPQ 375 (Fed. Cir. 1986).

Conclusion

21. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

22. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to THJUAN K. ADDY whose telephone number is (571)272-7486. The examiner can normally be reached on Mon-Fri 8:30-5:00pm.

24. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

25.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thjuan K. Addy/
Primary Examiner, Art Unit 2614